

April 13, 2023

VIA ECF

The Honorable Lewis J. Liman
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: *Jackpocket, Inc. v. Lottomatrix NY LLC, et al.*, 22-cv-05772-LJL
Joint Letter Motion to Seal

Dear Judge Liman:

Pursuant to Rule 2(H) and Attachment B of Your Honor's Individual Practices in Civil Cases, and in accordance with Your Honor's April 3, 2023 and April 5, 2023 Orders (Dkts. 171 and 173), the parties jointly submit this letter regarding the parties' respective requests to seal certain documents of record for this case that have not yet been filed on ECF. Upon granting these requests (in whole or in part), the parties will file via ECF, along with other documents for which the parties do not request any sealing, redacted versions of the documents that the Court has permitted to be filed under seal.

For ease of reference, the parties prepared an index of all of the documents filed with this joint motion attached as **Appendix A**, which provides the name of each document filed with this joint motion and corresponds each document to an exhibit number (from 1 to 166). The exhibits are listed in **Tables A, B, and C** to this joint motion. Specifically:

- **Table A:** The parties' Joint Pretrial Order and Court hearing transcripts.
- **Table B:** Documents previously submitted by Plaintiff to the Court.
- **Table C:** Documents previously submitted by Defendants to the Court.

The exhibits are: (1) indexed by party, (2) categorized by the general type of document filed (e.g., transcript, memoranda, declaration, supporting exhibit, deposition), and (3) highlighted and color-coded to reflect each party's proposed redactions, with Plaintiff's proposed redactions in yellow, Defendants' in blue, and any overlapping proposals in green. Instances where a party seeks to seal a document in its entirety are noted in **Tables A, B and C**.

Neither party takes any position on the other party's requests to seal.

The Honorable Lewis J. Liman
Page 2

I. Plaintiff's Requests to Seal

Plaintiff respectfully requests a narrow order sealing the documents or portions thereof listed below (corresponding to **Appendix A**, which lists the documents attached in **Tables A-C**), because the documents or portions thereof contain confidential information related to: (1) Plaintiff's specific confidential business information, including business negotiations, (2) Plaintiff's confidential financial information, (3) certain references to individuals and organizations who have a strong privacy interest in maintaining anonymity, or (4) a combination of the preceding categories.

While a strong presumption of access exists, "[a] court must 'balance competing considerations against it,'" such as "the privacy interests of those resisting disclosure." *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 120 (2d Cir. 2006) (quoting *United States v. Amodio*, 71 F.3d 1044, 1050 (2d Cir. 1995)).

Regarding the parties' request to seal its confidential business and financial information, courts routinely seal this type of information. *See, e.g., Girl Scouts of U.S. of Am. v. Boy Scouts of Am.*, No. 18-cv-10287, 2021 WL 76293, at *2 (S.D.N.Y. Jan. 8, 2021) (granting motion to seal information regarding "market intelligence, marketing strategy, advertising expenditures, communications strategy, and business strategy"); *Ferring B.V. v. Allergan, Inc.*, No. 12 Civ. 2650, 2017 WL 4083579, at *6 (S.D.N.Y. Sept. 14, 2017) (granting motions to seal "[a]fter considering the presumption of public access to judicial documents against the privacy interests of the proprietary and confidential materials submitted . . . [and] sealed pursuant to the protective order"); *Playtex Prods., LLC v. Munchkin, Inc.*, No. 14-cv-1308, 2016 WL 1276450, at *11 (S.D.N.Y. Mar. 29, 2016) (granting request to seal documents concerning "[plaintiff's] (i) sales and revenue, (ii) analytical testing of the Diaper Genie Refills, (iii) qualitative market research, and (iv) research and development for new products"); *GoSMiLE, Inc. v. Dr. Jonathan Levine, D.M.D. P.C.*, 769 F. Supp. 2d 630, 649–50 (S.D.N.Y. 2011) (granting motion to seal "highly proprietary material concerning the defendants' marketing strategies, product development, costs and budgeting"); *Avocent Redmond Corp. v. Raritan Ams., Inc.*, No. 10 Civ. 6100, 2012 WL 3114855, at *16 (S.D.N.Y. July 31, 2012) (sealing documents because they contained, among other things "engineering schematics, confidential source code and confidential deliberations about future products, the disclosure of which could unfairly allow competitors to develop competing products" and "engineering and business trade secrets which could be used adversely by competitors"). "[B]usiness information that might harm a litigant's competitive standing" may also outweigh the presumption of public access. *Nixon v. Warner Commc'ns*, 435 U.S. 589, 598 (1978). *See also Standard Inv. Chartered, Inc. v. Fin. Indus. Regul. Auth., Ind.*, 347 F. App'x 615, 617 (2d Cir. 2009) (sealing of confidential business information affirmed where "[d]isclosure could cause . . . significant competitive disadvantage").

Additionally, individuals and organizations possess a strong privacy interest in maintaining anonymity, and thus, any references to them may be sealed. *Olson v. Major League Baseball*, 466 F. Supp. 3d 450, 456 (S.D.N.Y. 2020), *aff'd*, 28 F.4th 59 (2d Cir. 2022) (permitting redaction of

The Honorable Lewis J. Liman
Page 3

the names of certain individuals “who possess a strong privacy interest in maintaining anonymity”).

Plaintiff therefore respectfully requests that the following documents (identified by Exhibit Number from **Appendix A**) or portions thereof be sealed because they pertain to Plaintiff’s highly sensitive and confidential business information, which Plaintiff takes step to keep private and confidential, and the disclosure of which would place Plaintiff at a competitive disadvantage if used by competitors and/or business partners to gain leverage against Plaintiff. *Girl Scouts of U.S. of Am.*, 2021 WL 76293, at *2 (sealing “confidential business strategy information”); *Encyclopedia Brown Prods. v. Home Box Office*, 26 F. Supp. 2d 606, 614 (S.D.N.Y. 1998) (sealing defendants’ “[c]onfidential business information dating back even a decade or more” because they “provide valuable insights into a company’s current business practices that a competitor would seek to exploit”).

- Ex. 29
- Ex. 35
- Ex. 79
- Ex. 80
- Ex. 83
- Ex. 84
- Ex. 85
- Ex. 86
- Ex. 88
- Ex. 96
- Ex. 99
- Ex. 106
- Ex. 109
- Ex. 111
- Ex. 128
- Ex. 130
- Ex. 132
- Ex. 133
- Ex. 139
- Ex. 140
- Ex. 141
- Ex. 142
- Ex. 143
- Ex. 148
- Ex. 152
- Ex. 156
- Ex. 158
- Ex. 160

The Honorable Lewis J. Liman
Page 4

- Ex. 161¹

Plaintiff respectfully requests that the following documents (identified by Exhibit Number from **Appendix A**) or portions thereof be sealed because the information pertains to Plaintiff's confidential financial information. Plaintiff has not disclosed this information publicly. This information is useful in Plaintiff's business to maintain business operations. Plaintiff takes steps to keep this sensitive financial information private and confidential, and the disclosure of this information would place Plaintiff at a competitive disadvantage if used by competitors and/or business partners to gain leverage against Plaintiff's business.

- Ex. 9
- Ex. 24
- Ex. 25
- Ex. 26
- Ex. 67
- Ex. 68
- Ex. 81
- Ex. 89
- Ex. 157

Plaintiff respectfully requests that the following documents (identified by Exhibit Number from **Appendix A**) or portions thereof be sealed because the information includes names of individuals and organizations who possess a strong privacy interest in maintaining anonymity. *Olson*, 466 F. Supp. 3d at 456.

- Ex. 11
- Ex. 12
- Ex. 13
- Ex. 14
- Ex. 15
- Ex. 16
- Ex. 17
- Ex. 18
- Ex. 19
- Ex. 20

¹ Plaintiff notes that, while Defendants' only designated portions of deposition transcripts for trial, Defendants emailed the entire transcripts to the Court before trial began with Defendants' designations and Plaintiff's counter-designations highlighted in those transcripts. As a result, the parties are submitting the entire deposition transcripts with proposed redactions to the entire transcript for the depositions to which Defendants made designations (Exs. 161–65). The majority of requested redactions to these deposition transcripts fall on non-designated pages, making them irrelevant to the public's understanding of the disposition of this matter.

The Honorable Lewis J. Liman
Page 5

- Ex. 21
- Ex. 22
- Ex. 27
- Ex. 28
- Ex. 36
- Ex. 37
- Ex. 42
- Ex. 43
- Ex. 44
- Ex. 45
- Ex. 46
- Ex. 47
- Ex. 48
- Ex. 49
- Ex. 52
- Ex. 53
- Ex. 54
- Ex. 55
- Ex. 56
- Ex. 57
- Ex. 58
- Ex. 59
- Ex. 60
- Ex. 61
- Ex. 62
- Ex. 63
- Ex. 70
- Ex. 71
- Ex. 72
- Ex. 73
- Ex. 74
- Ex. 75
- Ex. 95
- Ex. 105
- Ex. 107
- Ex. 108
- Ex. 113
- Ex. 114
- Ex. 115
- Ex. 116
- Ex. 123

The Honorable Lewis J. Liman
Page 6

- Ex. 126
- Ex. 127
- Ex. 134
- Ex. 135
- Ex. 138
- Ex. 145
- Ex. 146
- Ex. 147
- Ex. 149
- Ex. 150

Plaintiff respectfully requests that the following documents (identified by Exhibit Number from **Appendix A**) or portions thereof be sealed because the information includes a combination of Plaintiff's highly sensitive and confidential business information and confidential financial information:

- Ex. 51
- Ex. 69
- Ex. 76
- Ex. 77
- Ex. 78
- Ex. 82
- Ex. 83
- Ex. 87
- Ex. 90
- Ex. 94
- Ex. 122
- Ex. 131
- Ex. 136
- Ex. 137
- Ex. 159

Plaintiff respectfully requests that the following documents (identified by Exhibit Number from **Appendix A**) or portions thereof be sealed because the information includes a combination of Plaintiff's highly sensitive and confidential business information and names of individuals and organizations who possess a strong privacy interest in maintaining anonymity. *Olson*, 466 F. Supp. 3d at 456.

- Ex. 2
- Ex. 3
- Ex. 41
- Ex. 91

The Honorable Lewis J. Liman
Page 7

- Ex. 93
- Ex. 102
- Ex. 103
- Ex. 104
- Ex. 117
- Ex. 118
- Ex. 119
- Ex. 120
- Ex. 125
- Ex. 144
- Ex. 151

Plaintiff respectfully requests that the following documents (identified by Exhibit Number from **Appendix A**) or portions thereof be sealed because the information includes a combination of Plaintiff's highly sensitive and confidential business information, Plaintiff's confidential financial information, and names of individuals and organizations who possess a strong privacy interest in maintaining anonymity. *Olson*, 466 F. Supp. 3d at 456.

- Ex. 1
- Ex. 4
- Ex. 5
- Ex. 6
- Ex. 7
- Ex. 23
- Ex. 64
- Ex. 65
- Ex. 66
- Ex. 92
- Ex. 112
- Ex. 153
- Ex. 154
- Ex. 162
- Ex. 163
- Ex. 164
- Ex. 165

Plaintiff's requests are consistent with the Court's prior December 7, 2022 Opinion & Order ("Dec. 7 Opinion") and December 15, 2022 Memorandum & Order ("Dec. 15 Order") permitting the redaction of "specific business, marketing and financial information" and "references to 'individuals [and organizations] . . . [who] possess a strong privacy interest in maintaining anonymity.'" (Dkt. 132 at 4–5.) (finding that the Court will redact "Plaintiff's business, financial, and marketing information"). *See also* Dkt. 125, 131.

The Honorable Lewis J. Liman
Page 8

For the reasons set forth above, Plaintiff respectfully requests that the Court grant it leave to file redacted versions, and where appropriate entirely under seal, the documents set forth above.

II. JACKPOT.COM'S REQUESTS TO SEAL

Defendants 99Dynamics Limited, Lottomatrix NY LLC, Lottomatrix Corporation, Lottomatrix Operations Limited, and Lottomatrix Malta Limited (collectively "Jackpot.com") respectfully request a narrow order sealing sensitive portions of the documents identified below. These documents contain evidence concerning: (1) Jackpot.com's confidential and highly sensitive financial information; (2) Jackpot.com's confidential and proprietary business information and strategies, including details of its plan to launch services and products in the United States; (3) personal identifying information of non-parties (e.g., the names of individuals who contacted Jackpot.com's help desk); and (4) confidential and proprietary business information of third parties.

This Court permits litigants to maintain the confidentiality of competitively sensitive business information by filing it under seal. *See, e.g., In re. Parmalat Sec. Litig.*, 258 F.R.D. 236, 244 (S.D.N.Y. 2009) ("Notwithstanding the presumption of public access to judicial records, courts may deny access to records that are 'sources of business information that might harm a litigant's competitive standing.'") (quoting *Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 598 (1978)); *Apple Inc. v. Samsung Elecs. Co.*, 727 F.3d 1214, 1225-26 (Fed. Cir. 2013) (district court abused its discretion by denying request to seal confidential financial information). This includes "proprietary, competitively sensitive business information or [information] related to internal procedures, the disclosure of which would put [the litigant] at a competitive disadvantage." *Royal Park Invs. SA/NV v. Wells Fargo Bank, N.A.*, 2018 WL 739580, at *19 (S.D.N.Y. Jan. 10, 2018); *see also, e.g., Standard Inv. Chartered, Inc. v. Fin. Indus. Regulatory Auth., Ind.*, 347 F. App'x 615, 617 (2d Cir. 2009) (upholding ruling that party's "interest in protecting confidential business information outweighs the qualified First Amendment presumption of public access"); *Avocent Redmond Corp. v. Raritan Ams., Inc.*, 2012 WL 3114855, at *16 (S.D.N.Y. July 31, 2012) (identifying documents that "[t]he parties may file ... under seal because they include confidential business information—market forecasts, sales, inventory management, profit margins, etc.—the disclosure of which would cause competitive harm"); *Girl Scouts of U.S.A. v. Boy Scouts of Am.*, 2021 WL 76293, at *2 (S.D.N.Y. Jan. 8, 2021) (granting motion to seal information regarding "market intelligence, marketing strategy, advertising expenditures, communications strategy, and business strategy"); *Ferring B.V. v. Allergan, Inc.*, 2017 WL 4083579, at *6 (S.D.N.Y. Sept. 14, 2017) (granting motions to seal "[a]fter considering the presumption of public access to judicial documents against the privacy interests of the proprietary and confidential materials submitted ... [and] sealed pursuant to the protective order"); *GoSMiLE, Inc. v. Dr. Jonathan Levine, D.M.D. P.C.*, 769 F. Supp. 2d 630, 649-50 (S.D.N.Y. 2011) (granting motion to seal "highly proprietary material concerning the defendants' marketing strategies, product development, costs and budgeting").

The Honorable Lewis J. Liman
Page 9

Pursuant to the forgoing, and for the reasons provided below, Jackpot.com respectfully submits that the following documents contain information for which they seek leave to file under seal on the following grounds:

A. **Jackpot.com's Confidential And Highly Sensitive Financial Information**

1. **Redactions**

Jackpot.com requests that portions of the following documents indicated in teal blue highlighting be redacted, because the portions describe or identify Jackpot.com's highly sensitive and confidential financial figures, which Jackpot.com has taken efforts to keep private and confidential (and has not revealed publicly), and the public disclosure of which would place Jackpot.com at a competitive disadvantage:

Ex.	Document	Page(s) ²
51	YR-2	
97	DX-014	10-19
112	DX-043	30-31

2. **Sealing**

Jackpot.com requests the following documents be sealed in their entirety because redactions cannot be drawn that would prevent disclosure of Jackpot.com's confidential and highly sensitive financial information:

Ex.	Document
9	Ex. 2 PHB
50	Ex. 64 SHD
98	DX-015

B. **Jackpot.com's Confidential And Proprietary Business Information And Strategies**

1. **Redactions**

Jackpot.com requests that portions of the following documents indicated in teal blue highlighting be redacted, because the portions describe or identify Jackpot.com's highly sensitive and confidential business information and strategies, which Jackpot.com has taken efforts to keep private and confidential (and has not revealed publicly), and the public disclosure of which would

² For the convenience of the Court, where redactions are located on only a few pages of a lengthy document, Jackpot.com also includes the page numbers where those redactions are located. All requested redactions should otherwise be apparent on the face of the document.

The Honorable Lewis J. Liman
Page 10

place Jackpot.com at a competitive disadvantage. This includes details of Jackpot.com's plans and strategies regarding its launch of services and products in the United States.

Ex.	Document	Page(s)
3	Ex. 4 JPO - Defendants' Trial Exhibit List	2
4	10/11 Preliminary Injunction Hearing Transcript	141-43, 145, 147-48, 176, 191-93, 198, 202-05, 218-19, 221-22, 269
5	10/12 Preliminary Injunction Hearing Transcript	313-14, 339, 344-45
6	11/17 Bench Trial Transcript	9, 48
7	Plaintiff's Pre-Hearing Brief ("PHB")	13
8	Ex. 1 PHB	20, 109-11, 150, 162
29	Ex. 40 SHD	3-5
31	Ex. 42 SHD	3-5
64	2022.11.14 Plaintiff's Pre-Trial Memorandum	24, 61
65	2022.11.14 Plaintiff's Proposed Findings of Fact & Conclusions of Law	21-22, 50
94	2022.10.09 Defendants' Pre-Hearing Brief	4-5, 7, 12, 42
95	2022.10.09 Defendants' PI Hearing Exhibit List	1
97	DX-014	10-21
99	DX-016	2-4
100	DX-019	
110	DX-041	1
111	DX-042	7
112	DX-043	30, 31
121	DX-067	6
139	DX-123	1-2
140	DX-124	2-3
141	DX-125	2, 4
142	DX-126	2, 4
151	Ex. F, Scher Declaration	249-52
152	2022.10.09 Direct Testimony Declaration of Yariv Ron	2, 6, 8-10, 12-13, 16-18, 21-22
153	2022.11.20 Defendants' Corrected Pre-Trial Brief	7, 38
154	2022.11.20 Defendants' 2 nd Corrected Proposed Findings of Fact & Conclusions of Law	7, 11-14, 16-18, 41, 56, 62-63, 122, 161
155	2022.11.14 Supplemental Trial Declaration of Yariv Ron	4-6

The Honorable Lewis J. Liman
Page 11

Ex.	Document	Page(s)
162	2022.10.03 Defendants' Designations of the Deposition of Yariv Ron ³	17-21, 37-38, 42, 45-48, 50, 53-54, 57, 59, 87-91, 94, 108-12, 115-16, 122-23, 128-34, 140-43, 145, 150-52, 161-69, 176-78, 191, 204, 231, 257, 274
164	2022.09.30 Defendants' Designations of the Deposition of Peter Sullivan	157, 207, 249-52

2. Sealing

Jackpot.com requests the following documents be sealed in their entirety because redactions cannot be drawn that would prevent disclosure of Jackpot.com's confidential and proprietary business information and strategies:

Ex.	Document
9	Ex. 2 PHB
50	Ex. 64 SHD
98	DX-015

C. Personal Identifying Information Of Non-Parties

1. Redactions

Jackpot.com requests that portions of the following documents indicated in teal blue highlighting be redacted, because these portions reveal the names and/or other personal identifying information of non-party individuals and consumers for which these individuals maintained a reasonable expectation of privacy:

Ex.	Document	Page(s)
4	10/11 Preliminary Injunction Hearing Transcript	241-55, 257-62, 264-66, 273
5	10/12 Preliminary Injunction Hearing Transcript	336
11	Ex. 6 PHB	
12	Ex. 7 PHB	
13	Ex. 8 PHB	
14	Ex. 9 PHB	
15	Ex. 11 PHB	
16	Ex. 12 PHB	

³ As to Plaintiff's position on transcripts, see *supra* n.1, Defendants disagree, including because these transcripts were previously sent to the Court. In any event, it has no bearing on the instant request to seal.

The Honorable Lewis J. Liman
Page 12

Ex.	Document	Page(s)
17	Ex. 13 PHB	
18	Ex. 14 PHB	
19	Ex. 15 PHB	
20	Ex. 17 PHB	
21	Ex. 18 PHB	
22	Ex. 19 PHB	
28	Ex. 37 SHD	
42	Ex. 56 SHD	
44	Ex. 58 SHD	
45	Ex. 59 SHD	
46	Ex. 60 SHD	
47	Ex. 61 SHD	
48	Ex. 62 SHD	
49	Ex. 63 SHD	
72	Ex. 11 WD	
73	Ex. 12 WD	
74	Ex. 13 WD	
75	Ex. 14 WD	
105	DX-032	
107	DX-034	
108	DX-035	

D. Third Party Confidential And Proprietary Business Information

1. Redactions

Jackpot.com requests that portions of the following documents indicated in teal blue highlighting be redacted, because they contain non-public business and financial information produced by non-party Big Fish Games and designated by Big Fish Games as Highly Confidential pursuant to the Protective Order entered in this case. *See* Dkt. 132 at 3-4.

Ex.	Document	Page(s)
153	2022.11.20 Defendants' Corrected Pre-Trial Brief	18
154	2022.11.20 Defendants' 2 nd Corrected Proposed Findings of Fact & Conclusions of Law	6, 87
166	2022.11.16 Opposition to MIL	14

* * *

For the reasons set forth above, Jackpot.com respectfully requests that the Court grant Jackpot.com leave to: (1) file redacted versions of the documents set forth above in sections II.A.1, II.B.1, II.C.1, and II.D.1; and (2) file entirely under seal the documents set forth above in sections II.A.2 and II.B.2.

The Honorable Lewis J. Liman
Page 13

Respectfully submitted,

/s/Douglas A. Rettew

Douglas A. Rettew (*pro hac vice*)
Mary Kate Brennan
Patrick Rogers (*pro hac vice*)
Troy Viger (*pro hac vice*)
**FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP**
901 New York Avenue, NW
Washington, DC 20001-4413
Tel: (202) 408-4000
Fax: (202) 408-4400
doug.rettew@finnegan.com
marykate.brennan@finnegan.com
patrick.rogers@finnegan.com
troy.viger@finnegan.com

*Attorneys for Plaintiff
Jackpocket, Inc.*

/s/Rachel E. Epstein

Rachel E. Epstein
Carey R. Ramos
Todd Anten
Dylan I. Scher
**QUINN EMANUEL URQUHART &
SULLIVAN LLP**
51 Madison Avenue
New York, NY 10010
Tel: (212) 849-7000
Fax: (212) 849-7100
rachelepstein@quinnemanuel.com
careyramos@quinnemanuel.com
toddanten@quinnemanuel.com
dylanscher@quinnemanuel.com

*Attorneys for Defendants Lottomatrix NY LLC;
Lottomatrix Corporation; Lottomatrix Operations
Limited d/b/a Jackpot.com; Lottomatrix Malta
Limited; and 99Dynamics Limited*

The Honorable Lewis J. Liman
Page 14

Appendix A

Table A - The Parties' Joint Pretrial Order and Court hearing transcripts		
Ex. No.	Document Description	Seeking to seal entirely?
1	Ex. 2 JPO - Defendants' Deposition Designations	
2	Ex. 3 JPO - Plaintiff's Trial Exhibit List	
3	Ex. 4 JPO - Defendants' Trial Exhibit List	
4	10/11 Preliminary Injunction Hearing Transcript	
5	10/12 Preliminary Injunction Hearing Transcript	
6	11/17 Bench Trial Transcript	

Table B - Documents Submitted by Plaintiff		
Ex. No.	Document Description	Seeking to seal entirely?
7	Plaintiff's Pre-Hearing Brief ("PHB")	
8	Ex. 1 PHB	
9	Ex. 2 PHB	Yes (Defendants)
10	Intentionally Left Blank	
11	Ex. 6 PHB	
12	Ex. 7 PHB	
13	Ex. 8 PHB	
14	Ex. 9 PHB	
15	Ex. 11 PHB	
16	Ex. 12 PHB	
17	Ex. 13 PHB	
18	Ex. 14 PHB	
19	Ex. 15 PHB	
20	Ex. 17 PHB	
21	Ex. 18 PHB	
22	Ex. 19 PHB	
23	2022.10.09 Peter Sullivan Hearing Declaration ("SHD")	
24	Ex. 2 SHD	Yes (Plaintiff)
25	Ex. 3 SHD	Yes (Plaintiff)
26	Ex. 4 SHD	Yes (Plaintiff)
27	Ex. 36 SHD	
28	Ex. 37 SHD	
29	Ex. 40 SHD	Yes (Plaintiff)
30	Intentionally Left Blank	
31	Ex. 42 SHD	Yes (Plaintiff)
32	Intentionally Left Blank	
33	Intentionally Left Blank	
34	Intentionally Left Blank	

The Honorable Lewis J. Liman
Page 15

35	Ex. 46 SHD	Yes (Plaintiff)
36	Ex. 47 SHD	
37	Ex. 48 SHD	
38	Intentionally Left Blank	
39	Intentionally Left Blank	
40	Intentionally Left Blank	
41	Ex. 55 SHD	Yes (Plaintiff)
42	Ex. 56 SHD	
43	Ex. 57 SHD	
44	Ex. 58 SHD	
45	Ex. 59 SHD	
46	Ex. 60 SHD	
47	Ex. 61 SHD	
48	Ex. 62 SHD	
49	Ex. 63 SHD	
50	Ex. 64 SHD	Yes (Defendants)
51	YR-2	
52	YR-13	
53	YR-25	
54	YR-26	
55	YR-27	
56	YR-28	
57	YR-29	
58	YR-30	
59	YR-31	
60	YR-32	
61	YR-33	
62	YR-34	
63	YR-35	
64	2022.11.14 Plaintiff's Pre-Trial Memorandum	
65	2022.11.14 Plaintiff's Proposed Findings of Fact & Conclusions of Law	
66	2022.11.06 Wong Declaration ("WD")	
67	Ex. 2 WD	Yes (Plaintiff)
68	Ex. 3 WD	Yes (Plaintiff)
69	Ex. 4 WD	Yes (Plaintiff)
70	Ex. 9 WD	Yes (Plaintiff)
71	Ex. 10 WD	Yes (Plaintiff)
72	Ex. 11 WD	
73	Ex. 12 WD	
74	Ex. 13 WD	
75	Ex. 14 WD	

The Honorable Lewis J. Liman
Page 16

76	2022.11.03 Expert Report of Jeff Anderson (“Anderson”)	
77	Ex. 2 Anderson	Yes (Plaintiff)
78	Ex. 3 Anderson	
79	Ex. 4 Anderson	
80	Ex. 10 Anderson	Yes (Plaintiff)
81	Ex. 11 Anderson	Yes (Plaintiff)
82	2022.11.08 Anderson Rebuttal Report (“Anderson R”)	
83	Ex. 2 Anderson R	Yes (Plaintiff)
84	Ex. 3 Anderson R	
85	Ex. 4 Anderson R	
86	Ex. 10 Anderson R	Yes (Plaintiff)
87	Ex. 11 Anderson R	Yes (Plaintiff)
88	Ex. 12 Anderson R	
89	Ex. 13 Anderson R	Yes (Plaintiff)
90	Ex. 14 Anderson R	Yes (Plaintiff)
91	2022.11.08 Expert Report of Michael Pollock	
92	2022.11.04 Plaintiff’s Designations of the Deposition of Sean Siuda	
93	2022.11.07 Plaintiff’s Designations of the Deposition of Michelle Wong	

Table C - Documents Submitted by Defendants		
Ex. No.	Document Description	Seeking to seal entirely?
94	2022.10.09 Defendants’ Pre-Hearing Brief	
95	2022.10.09 Defendants’ PI Hearing Exhibit List	
96	DX-013	
97	DX-014	
98	DX-015	Yes (Defendants)
99	DX-016	
100	DX-019	Yes (Plaintiff)
101	Intentionally Left Blank	
102	DX-024	
103	DX-025	Yes (Plaintiff)
104	DX-029	
105	DX-032	
106	DX-033	Yes (Plaintiff)
107	DX-034	
108	DX-035	
109	DX-040	
110	DX-041	
111	DX-042	

The Honorable Lewis J. Liman
Page 17

112	DX-043	Yes (Plaintiff)
113	DX-052	
114	DX-053	
115	DX-055	
116	DX-056	
117	DX-058	Yes (Plaintiff)
118	DX-059	Yes (Plaintiff)
119	DX-060	
120	DX-064	
121	DX-067	
122	DX-068	
123	DX-069	
124	DX-072	Yes (Plaintiff)
125	DX-073	
126	DX-074	
127	DX-075	
128	DX-077	
129	Intentionally Left Blank	
130	DX-087	Yes (Plaintiff)
131	DX-088	Yes (Plaintiff)
132	DX-089	Yes (Plaintiff)
133	DX-090	Yes (Plaintiff)
134	DX-091	
135	DX-092	
136	DX-093	Yes (Plaintiff)
137	DX-094	Yes (Plaintiff)
138	DX-095	
139	DX-123	
140	DX-124	
141	DX-125	
142	DX-126	
143	DX-127	
144	DX-130	
145	DX-131	
146	DX-132	
147	DX-133	
148	DX-137	Yes (Plaintiff)
149	DX-169	
150	DX-175	
151	Ex. F, Scher Declaration	

The Honorable Lewis J. Liman
Page 18

152	2022.10.09 Direct Testimony Declaration of Yariv Ron	
153	2022.11.20 Defendants' Corrected Pre-Trial Brief	
154	2022.11.20 Defendants' 2 nd Corrected Proposed Findings of Fact & Conclusions of Law	
155	2022.11.14 Supplemental Trial Declaration of Yariv Ron	
156	2022.11.03 Hanson Expert Report ("Hanson")	
157	Ex. D Hanson	
158	2022.11.03 Wyman Report	
159	2022.11.08 Hanson Rebuttal Report ("Hanson R")	
160	Ex. D Hanson R	
161	2022.10.06 Defendants' Designations of the Deposition of Michael Barone	
162	2022.10.03 Defendants' Designations of the Deposition of Yariv Ron	
163	2022.11.04 Defendants' Designations of the Deposition of Sean Siuda	
164	2022.09.30 Defendants' Designations of the Deposition of Peter Sullivan	
165	2022.11.07 Defendants' Designations of the Deposition of Michelle Wong	
166	2022.11.16 Opposition to MIL	